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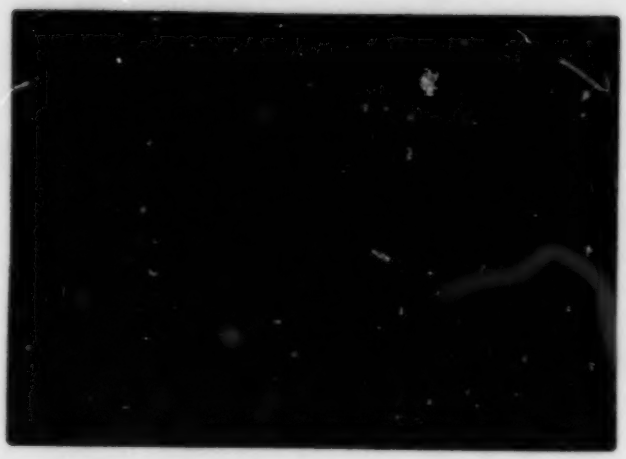

WORKING PAPER 30

THE GULF CRISIS
THE DEBATES AND THE STAKES

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PREFACE

This paper is a contribution by the Institute's Director to the rapidly-unfolding situation in the Persian Gulf, of central concern to the Institute's mandate and to all Canadians. It is intended for publication in the Working Paper series, which appear only in their original language. The views expressed are those of the author and do not necessarily reflect those of the Institute as such or its Board of Directors.

CONDENSÉ

Au moment où la session parlementaire reprend et que les députés vont se pencher sur la réaction du gouvernement à la crise du Golfe, les Canadiens et Canadiennes méritent qu'on leur fasse une description de la situation plus sobre et plus informée que celles auxquelles ils ont eu droit jusqu'à présent. Les événements des six dernières semaines représentent ni plus ni moins un véritable tournant dans l'évolution des relations internationales; c'est pourquoi il est essentiel de distinguer, au milieu de tout ce «brouhaha» polémique, ce qui constitue les éléments essentiels du dossier.

En donnant à ses forces écrasantes l'ordre d'envahir le Koweït, Saddam Hussein s'est rendu coupable d'un acte d'agression non provoqué et illégal, contraire au droit international et à la Charte de l'ONU. Mais le dirigeant irakien a commis une gigantesque bévue en choisissant, pour déclencher cette invasion, un moment de l'Histoire où la Guerre froide avait fini de polariser et de paralyser la collectivité mondiale.

Dans son malheur, cependant, il offre au monde une occasion historique unique. Si, dans le cadre de ce fragile ordre international mis en place à l'issue de la Guerre froide, l'ensemble des nations réussit à réagir à la crise en prenant des mesures légitimes et efficaces, conformes au droit international et aux procédures des Nations Unies, le monde aura assisté à un précédent historique; dorénavant, même les superpuissances et les grandes puissances vont être beaucoup moins libres d'intervenir de façon unilatérale, quand bon leur semblera.

Les actions des États-Unis

La mobilisation et le déploiement des forces américaines peuvent sembler effrayants par certains côtés, et ils sont d'autant plus inquiétants qu'on entend prononcer le mot «guerre» dans certains milieux américains. Mais à une exception près peut-être, les actions américaines depuis le 2 août dernier se sont avérées totalement conformes à la lettre et à l'esprit du droit international et de la Charte de l'ONU, ainsi qu'à la série de résolutions du Conseil de sécurité (plus nombreuses que jamais) qui lient tous les États membres de l'Organisation. Quand je parle d'une exception, je pense à la déclaration du

12 août dans laquelle Washington annonçait que les États-Unis appliqueraient un blocus naval pour faire respecter les sanctions, et ce avant même l'adoption, le 25 août suivant, de la résolution 665 autorisant cette mesure.

Mais on peut dire, pour l'essentiel, que cette crise et la réaction du président Bush dans cette affaire pourraient marquer un virage important de toute la stratégie américaine de l'après-guerre vis-à-vis de l'ordre international. Alors que ses prédécesseurs ont eu tendance à faire fi de l'ONU, à ne pas tenir compte de ses avis, à contourner ses résolutions, voire à l'attaquer, le nouveau locataire de la Maison-Blanche a pris toutes les peines du monde pour travailler de concert avec l'Organisation mondiale et pour le dire à ses compatriotes.

Dès le début, les choses ont bien commencé, puisque d'emblée, les États-Unis ont cherché à défendre l'idée d'une réponse collective internationale organisée sous l'égide de l'ONU, pour justifier la légitimité de leurs propres actions. L'objectif de cette initiative consistait, pour les Américains, à faire échec à un acte d'agression perpétré dans une région stratégique et explosive du monde, sans pour autant s'attirer les foudres des Soviétiques ou des Chinois et sans alimenter les prétentions de Hussein au poste de champion de la cause arabe ou du tiers-monde.

Peu à peu, d'autres nations ont emboîté le pas aux Américains pour les aider à supporter les frais militaires et économiques de l'opération. La participation de pays arabes à cette dernière revêt une importance particulière. Il est évident que les États-Unis vont rester au poste de commande militaire, mais si l'on veut véritablement répartir le fardeau, il va falloir que les responsabilités, elles aussi, soient davantage partagées, et cela, Washington le sait bien.

Une structure de commandement onusienne ?

Même si le nombre de membres des Nations Unies et le contexte international ont considérablement changé depuis 1950, le seul exemple historique d'opération onusienne mise sur pied en réponse à une invasion est celui de la Corée du Sud. Les forces militaires déployées en Corée relevaient techniquement de l'ONU, mais en réalité,

les forces américaines étaient aux commandes, au point que le Commandement onusien rendait compte au Comité mixte des chefs d'état-major (JCS) au Pentagone, et non au Conseil de sécurité.

Je ne veux pas dire par là que l'opération coréenne n'était pas totalement légitime, mais j'essaie plutôt de voir jusqu'à quel point nous nous avançons en ce moment en terrain inconnu, vu que, pour la première fois, l'ONU tente véritablement de jouer le rôle que lui avaient dévolu ses fondateurs il y a de cela quarante-cinq ans. Nous n'aurions pas vraiment intérêt à exiger aujourd'hui la constitution formelle d'un commandement onusien; cela risquerait même de remettre en question le consensus contre l'agression, dégagé de peine et de misère par les membres du Conseil de sécurité et par la collectivité mondiale, et la volonté inhabituelle de Washington de travailler avec l'ONU et par son intermédiaire.

Les objectifs internationaux

L'objectif de la collectivité internationale consiste à amener l'Irak à se retirer du Koweït, en lui imposant suffisamment de contraintes pour qu'il s'abstienne de menacer de nouveau ses voisins. L'éventualité d'une action militaire n'est pas à écarter si les sanctions ne produisent pas l'effet escompté; d'ailleurs, la Charte de l'ONU reconnaît explicitement la légitimité d'une telle action.

Pour ce qui est de la succession des événements, les choses se passeraient ainsi : adopter des résolutions dénonçant l'agression, inviter le pays visé à se conformer à ces dernières, imposer des sanctions non militaires et mettre en place des blocus. Ce n'est que si toutes ces mesures échouaient qu'il y aurait une intervention militaire. Jamais auparavant la collectivité internationale n'a suivi l'ordre de progression aussi fidèlement ou aussi entièrement, et elle vise de toute évidence à favoriser le retrait des Irakiens, avant d'en arriver au dernier recours.

La collectivité internationale est de plus en plus convaincue, cependant, que le régime irakien actuel doit disparaître, sans quoi tout règlement pacifique ne serait que

temporaire. Et pourtant, à long terme, ce serait désastreux pour l'Occident d'avoir l'air de faire de Saddam Hussein un martyr.

Si, en appliquant à la lettre toute une série d'autres pressions, la collectivité internationale ne parvient pas à son objectif idéal, à savoir instaurer un nouveau régime à Bagdad, il faudra au moins qu'elle continue indéfiniment d'appliquer scrupuleusement un embargo sur les ventes d'armements à l'Irak et qu'elle mette sur pied une puissante alliance régionale de sécurité collective.

Les actions canadiennes et l'ONU

Certains Canadiens et Canadiennes prétendent que notre contribution à l'opération internationale actuelle dans le Golfe favorise l'affrontement plutôt que la conciliation et qu'à ce titre, elle rompt dangereusement avec notre tradition de champions du maintien de la paix. Les deux arguments sont valables, mais ils ne prennent pas en compte l'importance de ce tournant historique. Les opérations de maintien de la paix, pour méritoires et honorables qu'elles aient été, n'ont jamais été qu'un pis-aller pour les Nations Unies, une façon de garantir une trêve, généralement après une agression et une guerre. La solution des opérations de maintien de la paix n'a même pas été envisagée par les fondateurs de l'ONU; c'est Lester B. Pearson et d'autres qui ont dû l'inventer à l'époque de la crise de Suez pour «geler» un conflit que l'on n'avait pu ni éviter ni contenir.

À la faveur de la fin de la Guerre froide, et pressée par une crise importante, la collectivité internationale est en train de procéder à tâtons pour essayer de faire jouer à l'ONU ses rôles essentiels : prévenir les conflits et faire respecter le droit international. Si elle réussit à ces égards, le recours au maintien de la paix sera désormais inutile. Dans la mesure où il s'est toujours distingué avec ses Casques bleus et maintenant qu'il siège au Conseil de sécurité, le Canada n'aurait pas pu se confiner à un rôle passif, à un moment où l'Organisation mondiale était en mesure, pour la première fois, de faire son travail, tout son travail. Il faudra ensuite penser à «institutionnaliser» ce nouveau mécanisme de paix onusien, régler le problème de l'aliénation des pays arabes et du tiers-monde et, enfin, dissiper la menace du commerce mondial des armements.

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EXECUTIVE SUMMARY

As Parliament reconvenes and considers the government's response to the crisis in the Gulf, Canadians deserve a more sober and informed airing of the issues than we have had so far. The events of the past six weeks represent nothing less than a basic crossroads in the evolution of international order; it is thus vital to separate the essential points in the case at hand from a lot of other polemical "noise".

The invasion of Kuwait by Saddam Hussein's overwhelming forces was unprovoked and illegal aggression, in blatant contravention of international law and the UN Charter. But it was also a gigantic blunder on the part of Hussein, who chose a time for his invasion when the Cold War had ceased to polarize and paralyse the world community.

His misfortune is the world's historic opportunity. If this fragile new post-Cold War order succeeds in responding with legitimate and effective action under the rules of international law and the procedures of the United Nations, a historic precedent will have been set; even superpowers and great powers will be far less free in the future to intervene unilaterally.

US Action

The mobilization and deployment of American military might have frightening aspects, and the "war talk" from some American quarters has deepened concern. However, with one possible exception, American actions since August 2 have been in full conformity with the letter and spirit of international law, the UN Charter and the unprecedented series of Security Council resolutions that are binding on all member-nations. The possible exception was in Washington's declaration of 12 August that it would enforce a naval blockade to ensure the efficacy of sanctions, prior to the passage of Resolution 665 on 25 August authorizing such actions.

For the most part, however, this crisis and President Bush's response have the potential to mark a dramatic turning-point in America's whole post-war approach to international order. Where his predecessors have tended to ignore, discount, circumvent or even attack the UN, he has taken elaborate pains to work with the world body, and to explain to his fellow citizens that he is doing so.

The fact that the US has sought, from the very outset, to promote a collective international response under UN auspices as a support for the legitimacy of US actions is a welcome departure. The objective was to check aggression in a strategic and volatile region, without running afoul of Soviet or Chinese interests, and without playing into Hussein's pretensions as champion of the Arabs or the Third World.

Gradually, other nations have moved to share the military burden and economic costs. It is particularly important that the military response include, as it does, contributions from Arab states. While it is clear that the US will remain the military leader, real burden-sharing will inevitably mean more shared responsibility, a situation of which Washington is well aware.

A UN Command Structure?

While there are vast differences now in the membership of the UN and the international context, the UN response to the invasion of South Korea provides the only historical analogy. Although the military forces in Korea were technically under UN Command, the reality is that US military was very much in control, even to the point where the UN Command reported to the Joint Chiefs of Staff at the Pentagon, not to the Security Council.

This is not to suggest that the Korean operation lacked legitimacy, but to establish some perspective on the extent to which we are moving into untested ground, with the UN actually trying to exercise the role its founders had designed for it 45 years ago. To insist now on formal ratification of a UN Command would provide no real benefit, while

possibly jeopardizing the hard-won Security Council and global consensus against aggression, and the unusual willingness of Washington to work with and through the UN.

International Aims

Iraq's withdrawal from Kuwait, with enough effective constraints being placed upon it so that it will not menace its neighbours again, is the ultimate objective. The use of military enforcement action is possible if sanctions do not bring about its retreat; the UN Charter explicitly recognizes the legitimacy of such action. The sequence of approved steps progresses through resolutions identifying aggression; calls for compliance; non-military sanctions; blockades; and only if all these measures fail, taking military enforcement action. These steps have never before been followed so faithfully or so far by the international community, and the clear objective must obviously be to secure the reversal of the Iraqi aggression without reaching the final stage.

There is however a growing conviction in the international community that the current regime in Iraq must go, or any peaceful settlement achieved will be a temporary one. Yet it would be a long-term disaster for the West to be seen to make Saddam Hussein a martyr.

Should the careful sequence of other pressures not succeed ideally in changing Iraqi rulers, the minimal future requirement would be for the indefinite continuation of an iron-clad global arms embargo against Iraq and a powerful regional collective security alliance.

Canadian Actions and the UN

Some Canadians have opposed our contributions to the current international response in the Gulf as confrontational rather than conciliatory and thus a dangerous break with our peacekeeping tradition. The discomfort on both scores is valid, but it misses the significance of this historic turning point. Peacekeeping, valuable and

honourable as it has been, was never more that second-best response by the UN, a means of holding a truce, usually after aggression and war had taken place. Peacekeeping was not even dreamt-of by the founders of the UN, which was why Lester Pearson and others had to invent it in Suez as a contribution to freezing a conflict which had not been preventable or containable.

What the international community is now doing, with the opportunity provided by the end of the Cold War and under pressure from a major crisis, is to feel its way through to implementing the UN's basic preventative and enforcement functions which, if successful, would render peacekeeping unnecessary. Canada, with its first-class record on peacekeeping and its seat on the Security Council, could not have stood aside when the world body was able to move, for the first time, to do its full job. Next on the agenda will be institutionalizing this new UN peace machinery, coming to grips with legitimate Arab and Third World alienation, and finally controlling the menace of the global arms trade.

INTRODUCTION

"In war, truth is the first casualty", as the maxim goes, and Iraq's blitzkrieg annexation of Kuwait, with all the subsequent repercussions, bears it out once again. Instantaneous global news coverage and propaganda efforts will now make public opinion an even more immediate factor in wars and near-wars than it became in Vietnam, but it will not necessarily clarify the real stakes for democratic understanding in these life-and-death situations between nations.

As the Canadian Parliament reconvenes and considers the Government's response to this crisis to date, our people will deserve a far more sober and informed airing of the issues than we have had so far. With some two hundred Canadians still held hostage, and nearly 1500 armed forces personnel now committed in the field to the international effort -- not to speak of the hundreds of thousands of non-Canadian lives that may be in jeopardy -- purely point-scoring, special pleading, or partisan exchanges would now be unacceptable. I contend that this crisis, and the response to it (including Canada's) now represent a basic crossroads in the evolution of international order and that is why it is vital to separate the essential points in the case at hand from a lot of other polemical "noise".

THE EVOLUTION OF THE CRISIS AND THE WORLD RESPONSE

There is little disagreement as to the immediate trigger of this crisis, nor even of the place to lay the blame. The invasion of Kuwait, by Saddam Hussein's overwhelming forces, was unprovoked and illegal aggression, in blatant contravention of international law and the UN Charter. It was immediately recognized as such, with unprecedented unanimity, by the world's supreme arbiter of such issues -- the Security Council.

Rationalizers and equivocators have been ludicrously hard-pressed to try and obscure the issue by citing Iraq's "grievances", the artificiality of the original frontiers, and Iraq's longstanding claims to a part of Kuwait's territory, and finally the opulence and

institutionalized privilege of the Kuwaiti elite. There are varying measures of truth in each of these points, but they remain essentially irrelevant.

Unprovoked aggression is the fact, and pure greed, militaristic expansionism and xenophobic megalomania are the most apparent motives. This dictator's attempt to point to the rape of Kuwait, an Arab, muslim nation, as part of some greater Arabic or Islamic crusade (and I use the term advisedly) is no less presumptuous or fraudulent for the fact that it manipulatively strikes a responsive chord among many millions of dispossessed and alienated Arabs. It is in fact for that very reason that the rest of the world must do better in understanding legitimate Arab and Islamic aspirations, while working with responsible leaders in those national and religious communities to resist the hijacking and perversion of their causes by a Saddam Hussein.

If Saddam Hussein's original aggression is largely undisputed, the level, nature and leadership of the international response has engendered more controversy, and the injection of even more extraneous arguments. The invader himself claimed to be surprised and aggrieved at all the fuss when, after all, we have seen Panama, Grenada and Afghanistan. His sentiments have found echoes among many who are so intent on raking up past superpower misdeeds that, while proclaiming that they are in no way seeking to excuse this aggression, in fact do so, by diluting and relativizing the opprobrium.

Leaving aside the rudimentary, schoolyard principle that two wrongs do not make a right, these unwitting apologists are missing the essential point, which has huge and historic importance for strengthening world order. Saddam Hussein made a gigantic blunder in choosing a time for his invasion when the Cold War had ceased to polarize and paralyse the world community on every substantial issue of international law, peace and security.

His misfortune is the world's historic opportunity: the superpowers and others are now prepared to work together, often through the UN and other legitimate international organizations, to help end longstanding conflicts (as in Namibia, Central America and

possibly Cambodia). Saddam Hussein's cynical miscalculation was in failing to recognize that this new spirit of alliance for international order would withstand the divisive tactics and pressures that might have worked in the past. Instead, he made himself the first test-case of blatant armed aggression on a major scale in a region of vital international interest.

If the new post-Cold War order were to fail this test and fail to check and reverse Saddam's aggression and neutralize his potential to repeat it, the world might well repeat the history of the 1930s and embark on a period of intimidation, warfare and mass destruction that could make the Cold War look like a golden age. If, on the other hand, this fragile new post-Cold War order succeeds in responding in this important case -- with legitimate and effective action under the rules of international law and the procedures of the United Nations -- an historic precedent will have been set. Even superpowers and great powers would be far less free in future to intervene unilaterally and with impunity if this new UN order can now stop Saddam Hussein.

Two other arguments deserve some response in considering the overall international reaction. The first is the contention, advanced by Zbigniew Brezinski and some others, that this test-case is of a totally different order than those of Hitler's remilitarization of the Rhineland in 1936 or Mussolini's invasion of Abyssinia in 1935 when the will of the great nations and the League of Nations system failed to confront aggressors who were later to prove insatiable. Iraq's relative power and potential, says Brezinski, is nowhere close to that of Hitler's Germany and thus, by implication, the very forceful international response is somehow disproportionate.

Another debating point, especially prevalent among the cynics, is that the real issue at stake internationally, and especially among the major Western powers, is not resisting aggression, but maintaining access to Middle East oil. Regrettably, there is no question, in the still-cruel world of international politics, that the invasion and annexation of some resource-poor country in a less-strategically-placed region would have been unlikely to have elicited quite the same response. Oil is the lifeblood of modern industrial

economies, and thus preventing the illegal consolidation of control of 20% of the world's proven oil reserves, and the direct capacity to menace at least a further 25%, constitutes a legitimate vital interest for the consumer countries, and for the international community in general.

This fact, too, provides part of the response to the narrow historical contrast with Hitler's Germany. Iraq could aim for the capacity to slash the jugular vein of today's interdependent world economy. It has the fifth largest military forces in the world and a demonstrated unconcern about using them. Saddam Hussein launched and fought a horrific eight-year war, at the cost of a million lives, and resorting even to chemical weapons against military and civilian personnel. He was then immediately prepared to concede all that his country had fought over with Iran when he got out of his depth in the current crisis. With a professed messianic expansionism and a fascist internal regime to exterminate all dissenters, Saddam's Iraq, in its time and place, does indeed permit legitimate comparison in many respects to the dictators of the nineteen-thirties.

Another plaint that may tend to muddy the discussion is that the outside world somehow created this monster, and certainly armed it, with the apparent implication that either its conduct now is somehow excused, or that firm opposition by the world is not now legitimate. To disentangle and trace all the roots of Saddam's Iraq is neither possible, helpful nor necessary in the immediate crisis he has precipitated. We may note the bitter lesson that he has been massively armed by outsiders -- principally by the Soviet Union and France which supplied, respectively, 47 per cent and 27 per cent of Iraq's major weapons systems during the Iranian war -- but this point is only useful if it leads to a solid determination that this deadly trade must be stopped.

NOW ONE SUPERPOWER POLICEMAN?

Much of the controversy, in Canada as elsewhere, about the international response to this crisis has revolved around the preponderant role being played by the United States. It is not only reflexive anti-Americans who become concerned when they see the rapid

mobilization and deployment of the military might of the superpower, or become wary when they hear the bellicose rhetoric that accompanied it from many quarters in the US. There are mixed feelings of relief, guilt, resentment and suspicion when we are all suddenly revealed to be so dependent on one country as the world's chief policeman, especially when its own record of intervention is far from unblemished.

But for several reasons it would be self-indulgent and even dangerous for the world to be sidetracked in this crisis by hand-wringing or petulance about the disproportionate American role, or to be overly rattled by the heady rhetoric from some Americans. Given Iraq's blatant aggression and its imminent potential for more (e.g. against Saudi Arabia) the international community must be thankful that there was a country ready, willing and able to muster dissuasive armed force in a world that has no police force, but obviously does have its heavily-armed and dangerous criminals.

With one possible and brief exception, American actions since August 2 have been in full conformity with the letter and spirit of international law, the UN Charter and the unprecedented series of Security Council resolutions that are binding on all member-nations. The possible exception was in Washington's declaration on August 12 that it would enforce a naval blockade to ensure the efficacy of sanctions, prior to the passage of Resolution 665 on August 25 which authorized such actions.

Apart from the indispensability of America's ready power, and its careful observance of legal norms in this case, however, there is a much larger reason to welcome, reinforce, and complement the American effort. This crisis and President Bush's response have the potential to mark a dramatic turning-point in America's whole post-War approach to international order. Where his predecessors have tended to ignore, discount, circumvent or even attack the United Nations, this President has made a point of carefully working with and through the world body, and to explain to his fellow-citizens that he is doing so.

The cynical explanation for this departure is that by stressing the collective umbrella for the response, Mr. Bush seeks simply to gain legitimacy at home and abroad for risky

actions that are really motivated by purely American interests. Such a charge neglects two key points. First, the United Nations had long been allowed to slip so low in American public esteem -- and its recent recovery had still been so limited -- that no US President could have hoped to cash in on the moral force of the UN to support risky or unpopular commitments abroad. Instead, Mr. Bush has gambled on a major campaign to help rehabilitate the UN in American esteem, a campaign that will be ill-received by jingoistic right-wingers (including many in his own party) who have long crusaded against the UN and all its works.

To accept, on the other hand, that Mr. Bush has sought, from the very outset, to promote a collective international response under UN auspices as a support for the legitimacy of US actions is surely no criticism. It is a welcome departure, and an indication that this US President has recognized the historic opportunity offered by the end of the Cold War. The objective was to check aggression in a strategic and volatile region, without running afoul of Soviet or Chinese interests, and without playing into Saddam's pretensions as champion of the Arabs or the Third World. These needs provide ample justification for a strategy of pursuing measures through the Security Council and with wide international, and especially Arab and Islamic participation. Nor is there anything reprehensible in such a strategy -- all Security Council members and all force contributors have made their own determinations of the situation and their own decisions to act.

The legitimate world body and most individual nations have, in effect, recognized that what is at stake here is not exclusively, or even primarily, an American interest, but a wider set of interests and principles shared by all. Many others depend far more than the US on Gulf oil and would be far more vulnerable to the further depredations of a successful Iraqi aggressor. The critical positive precedent value of stopping Saddam Hussein and the critical negative precedent of not stopping him are also widely accepted.

Gradually, and still not equitably, other nations have moved to share the military burden, and where they could not do that, the underlying economic costs. If, for whatever

reason, one considers it unhealthy for any one nation to dominate an international community police effort, the logical means to reduce that domination is to secure greater contributions from others. It is indisputably clear that the US will remain the leader of this alliance, and given the means required it could not be otherwise. But it is also true that others will tend to gain influence and a "say" in the alliance to the extent that they make further tangible contributions. Washington too knows that when it encourages others to share the burden, it also opens the door to them to share the responsibility in decisions about further steps. "No taxation without representation" remains a principle familiar to Americans.

What, then, of the issue of a formal UN Command, which many well-intentioned critics have claimed would instantly relieve all their anxieties about this US-led effort?

Once again, we must acknowledge the unprecedented character of this international response, and thus understand that the UN and its member-nations are to some extent feeling their way. The overall process has been set by the procedures enshrined in the UN Charter. The only past case in which they have received any comparable test was the Korean War, and in that case there was the vital difference that the hostile permanent member of the Security Council had absented itself from the debates and decisions, and that the remaining membership of the United Nations at the time was far smaller, more like-minded, and more amenable to American leadership.

Nonetheless, the UN response to the invasion of South Korea provides the only relevant historical analogy to the present situation, and critics of the current US leadership role frequently compare it unfavourably to the UN Command in Korea which they advocate as a preferable model.

In pushing the model of the UN Command in Korea, the critics of the current US role in the Gulf effort are totally misinformed and misguided: I would argue that the current procedure in the Gulf in fact has far stronger multilateral legitimacy. The

long-time President of the International Peace Academy, General Indar Rikhye, puts it bluntly:

> ...from the beginning it [The Korean force] was a US operation, led and supported by that power. The facade that this operation is a UN Command has been kept up to the present day; the UN flag flies over all military installations, and all vehicles and troops carry the UN insignia. But the Command reports to the Joint Chiefs of Staff at the Pentagon and not to the UN.

To correct simplistic misreading of the Korean peace-enforcement command model is not to call into question its legitimacy, but merely to set the record straight and to re-establish some perspective on how much we are moving into untested ground with the UN actually trying to exercise the role its founders had designed for it forty-five years ago. The Charter does not even outline a procedure for setting up a Command and clearly envisages strong continuing control by the individual governments concerned. To insist, at this stage, on the formal ratification of a UN Command would provide no real benefit, while possibly jeopardizing both the hard-won global consensus against aggression and the unusual willingness of Washington to work with and through the UN.

It is highly doubtful that the Soviet Union and China would yet be willing either to take a full military part in an international police and enforcement action or to give it the full measure of Security Council backing unless they were playing such a part. Remarkable as the progress has been in East-West relations, these Governments will not yet be prepared to give a blank cheque to a force inevitably dominated by the Saudis and the West, although even this is not inconceivable if the current process is properly continued and does not achieve a turnaround in the Iraqi position.

Nor would a UN command structure now do anything of substance to ease the challenge of operational coordination among the many national armed forces that are being mustered to this task. These challenges are probably misunderstood and over simplified in any event by lay-people who fail to recognize that many military commanders have substantial experience in such coordination and will be fully seized of the problem.

Moreover, it is merely inconsistent to bemoan at one and the same time the profusion of national contributions and the leading role of the United States. Obviously a unilateral US operation would be the easiest of all to coordinate.

For the future, it is time to begin working seriously toward implementing the unused provisions of the UN Charter to prepare and plan for joint enforcement actions, with standby contingents and an operating Military Staff Committee, but it is difficult to imagine this being introduced now in the midst of a full-fledged crisis.

INTERNATIONAL AIMS AND CANADIAN CHOICES

The most important substantial concern related to the dominant US role in the Gulf effort is linked to the basic question of what the aims and procedures of the whole operation really are, and who will set them. Once again it must be stressed that there is no easy answer -- we are into unexplored territory in trying to coordinate an effective and legitimate response by the whole international community to aggression. The territory is not uncharted, though, in that the United Nations Charter does outline in Chapter VII a sequence of measures to identify and respond to "threats to the peace, breaches of the peace, and acts of aggression" and to help maintain or restore international peace and security.

The steps involve identifying a threat to peace; recognizing that aggression has occurred, calling for parties to comply with its Resolutions; employing measures not involving the use of armed force to give effect to its decisions (including sanctions); implementing blockades; and, if all these measures fail to achieve the intended result, to "take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security". This progression has never before been followed as faithfully or as far by the international community as it has in this case, and the clear objective of all must obviously be to achieve the reversal of the Iraqi aggression without reaching the final stage.

These steps have been followed scrupulously by the Security Council and by the member-states acting under its authority, but there is a huge and legitimate question as to whether and when they will work and where they may ultimately lead. Uncertainty on these scores has been heightened by the rapidity and level of the military build up, and by the "war talk" that has sometimes accompanied it in Washington, London, among Kuwaitis and elsewhere.

It is, however, worth examining that talk carefully. It may well have been a conscious strategy for Washington to exaggerate the American readiness to take direct military action against Iraq in the early days after the Kuwait invasion when the forces on the Saudi Arabian border were still inadequate for deterrent or even "trip-wire" purposes.

It is now legitimate to reiterate the availability of the option of offensive action against Iraq for at least two reasons. First, the sequence of actions envisaged by the UN Charter does culminate in the use of military enforcement action, if sanctions to not bring the aggressor's retreat or if other developments should justify it. Secondly, the credible possibility of rapid and massive retaliation is probably necessary to deter Saddam Hussein from undertaking further military action that might be calculated to fragment the coalition against him -- e.g. by trying to draw Israel into the fray.

Although they now have substantial defensive depth and huge capabilities for retaliatory or punitive strikes, the overall configuration and posture of the international forces arrayed against Iraq is still not essentially offensive, and it would take a great deal of planning and training to forge its disparate contingents into an adequate offensive force. It is still true, however, that Iraqi actions or the escalation of some localized skirmish could lead to a major military exchange, even if that is not now the international forces' intention.

The chances of war are heightened by Saddam's proclaimed annexation of Kuwait, a claim which lies at the polar extreme from the UN's non-negotiable demand of full

withdrawal and restoration of the *status quo ante*. There is even a further obstacle to peaceful resolution in the growing conviction in the international community that the current regime in Iraq must go, or any peaceful settlement achieved is likely to prove only an interval for a further embittered Saddam to regroup, re-arm (probably with nuclear weapons and certainly with other weapons of mass destruction) and re-launch expansionist schemes.

For a peaceful resolution and a durable peace, then, the international community must count on sanctions being fully enforced and having the intended effect of forcing an Iraqi climbdown, with minimal if any face-saving involved for Saddam Hussein. Ideally, such a scenario would involve the deposition of the leader either before or after the retreat from Kuwait, an unlikely outcome given the success of Saddam's manipulative and murderous tactics for staying in power. Moreover, there is a vital need to avoid making Saddam a martyr to the West, however much his replacement is desired.

Failing such replacement, the minimal future requirement would be for the indefinite continuation of an iron-clad global arms embargo against Iraq and a powerful regional collective security alliance. Since Saddam bankrupted one of the Third World's most prosperous economies for his arms imports during the Iranian war, and resorted to developing Iraq's increasingly sophisticated weapons industries, neither of these measures would provide absolute reassurance. Furthermore, the overall build-up of military forces and equipment is in itself undesirable and potentially de-stabilizing in this volatile region. For example, a major increase in the size and sophistication of Saudi Arabian armed forces will at some point constitute a serious security concern for Israel, with the potential for further arms races.

So this is the uncertain and dangerous endeavour on which Canada is launched under the aegis of the United Nations and in active collaboration with some two dozen other countries. We can expect further thrashing out in Parliament of the rights and wrongs, objectives and limitations of the steps Ottawa has taken, and not taken.

The decision to take these steps without recalling Parliament itself, is one on which individual Canadians will make their own political and moral judgements, since the technical, legal requirements were met. It is worth noting what I witnessed in Britain recently when its Parliament was recalled from its summer recess for this purpose. There had been criticism of the delay there, too, but the recall was managed relatively smoothly. When the debate actually occurred, it was notable that there was broad, non-partisan support for the firm British line -- with much higher stakes in terms of both troops and hostages involved -- and only a small fringe element in the Labour party voicing opposition, largely on the basis of knee-jerk anti-Americanism.

In Canada, there were even early suggestions from some quarters that Canada should stand back from tangible commitments to support the UN resolutions in the hope that Baghdad would be more gentle with hostages from countries that had not taken a firm stand against it. Some were also still ready to argue, in this era of global interdependence, that the threat to international oil supply, and presumably the aggression, had no effect on Canada and thus we should "stay out of it". The temptations to either appeasement or isolationism do not seem to have attracted any wide support.

Subsequently much of the Canadian debate has revolved around the two commitments: first on August 10, of a naval contingent of three ships and subsequently, on September 14, of a squadron of CF18 fighters with related support personnel. The related measures of refugee assistance and logistical support to other policing contingents have not been much discussed. Many of the concerns and criticisms that have been voiced about the Canadian involvement are the same as those worrying others internationally, and there is little unique about the challenge we face: how to contribute in a responsible way to an unprecedented world effort to check an aggressor -- it is an unpleasant job, but everybody has got to do it.

Two distinctive features of the Canadian involvement may be found in our position as the world's premier UN peacekeeping nation, and in our proximity to the United States. Much has been made by some critics of the fact that the UN action in the Gulf

is confrontational rather than conciliatory, and thus that Canadian participation is a dangerous break with our distinguished and valued peacekeeping tradition. The discomfort on both scores is valid, but it misses the significance of this historic turning point. Peacekeeping, valuable and honourable as it has been, was never more than a second-best response by the UN, a means (in a very small proportion of conflicts) of holding a truce, usually after aggression and war had taken place. Peacekeeping was not even dreamt of by the founders of the UN, which was why Lester Pearson and others had to invent it in the case of Suez as a contribution to freezing a conflict which had not been preventable or containable.

The action that the UN is now mandating in the Gulf is much more what the UN Charter had always envisaged, with the exception that the advance arrangements for military planning as spelled out in Articles 43 through 48 have never been acted upon, early victims of the Cold-War freeze. What the international community is now doing, with the opportunity provided by the East-West thaw and under the pressure of a major crisis, is to feel its way through to implementing the UN's basic preventative and enforcement functions. If successful, this would render much peacekeeping unnecessary. In this conflict, the UN has directly branded the aggressor and taken direct action against it. If Canada's future peacekeeping role is affected by involvement in this nation, it is only because the UN's own role has changed.

In these circumstances, did Canada, a Security Council member, which has been the first contributor to the UN's past efforts at action for peace and security in the past, have any option of standing aside when the world body was able to move for the first time to do the full job? Canada lent a certain additional multilateral legitimacy to the effort by virtue of its record, and it was important for us to do so, as it was for significant numbers of Arab and other nations to join and dispel any impression that this might be a "Western imperialist" undertaking.

Have Canada and other such countries accepted other risks in doing so, especially the risk that the United States, Saudi Arabian and other governments most heavily

involved might not always act in ways that we would approve, but that we might still be politically and even militarily implicated? That risk exists, but the only ways of guaranteeing against it in the present context would be either to abstain, or to insist on a system of absolute consensus among all participant nations which would mean that not only Canada, but every other single contributor would have a veto. This would obviously hamstring the operation. Even if, or hopefully when, in the future we move to a system where the UN Security Council assumes more direct control of police or enforcement forces, the "Canadian Article" in the Charter, Number 44, insisted on by Ottawa at a time when we were a near-great military power, would give the right of consultation with the Security Council to force-contributing countries. This will be very difficult to work out.

Ottawa's early decision to commit the naval contingent was primarily of political and symbolic importance, but to be credible it required a significant tangible engagement of personnel and equipment. At the time of the announcement, the terms were not fully clear. The UN blockade resolution had not yet come forward, although sanctions were in place and obviously had to be monitored. A deterrent capability against further aggression was being mustered under Articles 1 and 51 of the Charter. The Canadian Government was presumably aware that while an immediate commitment was important for these primary political purposes, the period of several weeks for re-equipment and transit required for the ships to reach the Gulf region would probably mean that the tasks to be undertaken and the authority from the UN to undertake them would have evolved considerably. In this, the Government was proved correct with the passage of the resolution authorizing a naval embargo.

Another early Canadian debate was over the age and suitability of the Canadian ships committed. An unholy alliance developed between critics from diametrically opposed camps. Some, who really wanted Canada to take no part at all, seized on the issue of Canada's "ancient ships" to simultaneously deride the Canadian forces and profess concern for their safety. Others, in parts of the defence support community, saw and see this crisis as vindication of their warnings over many years that Canada was neglecting its defence

and were determined to miss no chance to campaign for more equipment. General Canadian self-deprecation was happy to join in smirking about our ships. In fact, twelve of the US warships now on station in the region are older than *Athabaskan*. Surely, we must assume that the Minister of Defence and Canadian military commanders have exercised the professional and ethical judgement that the ships, with their new systems, are adequate to the tasks that will be assigned to them and that the equipment itself does not occasion unacceptable risks to the men and women under their command.

With respect to the debate about the legitimacy of the Government moving to place Canadian troops in an "active service" zone without consulting Parliament, individual Canadians will have to make their own judgements. A related issue that has been raised is whether, in effect, the Government has committed Canada to a "state of war". In fact, Canadian forces have been committed to the surveillance and enforcement of a UN embargo, with related self-defence duties, and with a clear possibility -- but only after a separate UN Security Council decision -- that our forces might subsequently be committed under the Charter in a "use of armed force ... in the common interest" as part of the UN's "preventative or enforcement measures". At the same time, it is clear that these elements of the Canadian armed forces are entering into a highly-armed and volatile region, where hostilities could readily break out and involve them.

A second round of debate in Canada was triggered by the decision to send the fighter squadron to provide air support, raising questions as to whether this represented Canadian participation in an "offensive buildup" led by the United States. This step, together with the refugee and other aid measures announced on September 14, was in fact a contribution, geared to Canadian capabilities, in the major round of burden-sharing that had been sought by the United States. It does represent moral and material support for the strengthening of the international means to monitor and enforce sanctions, to provide deterrence and defence against armed force, and finally it does strengthen the base for potential enforcement action if that should be undertaken.

A final note in this regard is raised by the declarations and subsequent dismissal of US Air force General Michael Dugan, regarding offensive plans for air strikes against Baghdad and the Iraqi leadership. It should surprise no one that the US air force has considered such plans as part of possible retaliatory or military enforcement scenarios, but the fact that they are there does not mean they will inevitably be implemented, as Secretary Cheney's firing of the General should underline.

No one should have enthusiasm for any aspect of the current crisis -- it has already cost many lives and great suffering, and the potential exists for further horrific destruction. The international community did not choose confrontation, but in this new historical era it has for the first time not shrunk from a firm collective stand. There are still many acceptable possibilities for resolution without further loss of life, but not through compromise in the face of military aggression and expansionism which is obviously still an ugly fact of life. This time, firmness without bravado or bluster could permanently make the world a less dangerous place. Canada could not expect to steer the course of events, but as in the past, including the Korean War and its resolution, Canada can play a substantial part. It is a testing time, in every sense.